

REMARKSClaim Changes

Claim 1 is amended to recite “wherein the plurality of recipient identifiers indicate an order of custody of the message by a plurality of different recipients, and wherein each of the plurality of different recipients are unable to edit said plurality of recipient identifiers and the order of custody of the message.” Support for these changes can be found on page 5, lines 17-20 and page 6, lines 7-20. Thus, no new matter is added.

Claim 3 is amended to clarify and simplify the language in light of currently amended claim 1.

Claims 20 and 28 are amended to incorporate the subject matter of claim 21; claim 21 is canceled.

No amendment made is related to the statutory requirements of patentability unless expressly stated herein. No amendment is made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment is made to distinguish over a particular reference or combination of references. Any remarks made herein with respect to a given claim or amendment is intended only in the context of that specific claim or amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

Rejection of claims 1 – 16, 20, 22, 24 - 28 under 35 U.S.C. § 102 (e) as being anticipated by US 7,043,530 (Issacs)

Applicant respectfully traverses in part and amends in part. Applicant has amended independent claims 1, 20, and 28 to clarify the invention. Applicant therefore respectfully requests reconsideration of the rejection of claims 1 – 16, 20, 22, 24-28 under 35 U.S.C. § 102(e) as being anticipated by Issacs.

Applicant respectfully submits that Issacs does not anticipate, either expressly or inherently, each and every element as set forth in independent claims 1, 20, 24, and 28. Further, Applicant has carefully reviewed the present application and the cited art and has amended independent claims 1, 20, and 28 to clarify the claimed invention. In particular, independent claim 1 has been amended to recite “wherein the plurality of recipient

identifiers indicate an order of custody of the message by a plurality of different recipients, and wherein each of the plurality of different recipients are unable to edit said plurality of recipient identifiers and the order of custody of the message” which is not anticipated by Issacs. Also, independent claims 20 and 28 have been amended to recite “wherein said audit identifier uniquely corresponds to the combination of a message identifier, an order of recipient identifiers, and a message originator identifier” which is not anticipated by Issacs.

The Advisory Action dated April 18, 2008 states in item 3.1 on page 2 that “Claim 1 indicates the limitation to transmit and receive a message. There is no indication of a chain of custody for a message as claimed in Applicants remarks. There is no indication of a chain of custody for a message as claimed in Applicant’s remarks. There is no indication of different recipients in the claimed invention. The term, “different”, is not in the specification or the original claims.” Applicant respectfully disagrees with the statement. Page 5, lines 8-10 of Applicant’s specification describe “[T]he message is subsequently transmitted by the application to recipients via any one of a plurality of transport mechanisms....” Further, page 5, lines 17-18 describe “[T]he recipient may subsequently forward the message to others using the application.” Thus, contrary to the statement in the Advisory Action, Applicant’s specification describes forwarding a message from a recipient to another recipient (different recipients).

Also, Applicant has amended the claims to clarify “order of custody of messages” and “message identifiers.” The Office Action dated October 18, 2007 on page 2 states that “[T]he list of messages sent lists the recipients in the order the messages are sent/received (order of messages processed) as per claim limitation. (see Isaacs col. 15, line 66 – col. 16, line 6: message order; col. 13, lines 25-28: sequence number, denote order of messages, client (i.e. sender)....” Applicant respectfully disagrees with the statement. The “order of messages processed” cannot be equated to “order of said plurality of recipient identifiers” because “order of messages processed” is merely a list of messages sent from a particular originator and it does not corresponds to the order of custody of a message by different recipients. See Isaacs col. 15, line 55 to col. 16, line 5. Also, the “sequence number” of Isaacs is a monotonically increasing number assigned to the messages transmitted by a client node. However, since every client assigns the

"sequence number" independently to the messages, the "sequence number" cannot be equated to "the order of custody of a message." See Isaacs, col. 13, line 22 to col. 14, line 25. Thus, Isaacs fails to describe "wherein the plurality of recipient identifiers indicate an order of custody of the message by a plurality of different recipients" as recited by independent claim 1, as amended.

Additionally, in Issacs a client adds (modifies) sequence number to messages as described above. Thus, Issacs fails to describe "wherein each of the plurality of different recipients are unable to edit said plurality of recipient identifiers and the order of custody of the message" as recited in independent claim 1, as amended.

The Advisory Action dated April 18, 2008 states in item 3.2 on page 2 that "Applicant argues that the referenced prior art does not disclose, resending or forwarding messages." Applicant respectfully disagrees with the statement. Paragraph 2 on page 9 of the Response filed on March 15, 2008 states "[F]urther, in Isaacs the message server (630) merely forwards the message acknowledgement from the message recipient (620) to message originator (600) and the message originator (600) waits for an acknowledgment for a predetermined period of time before retransmitting the message to the recipient." Thus, the Advisory Action dated April 18, 2008 appears to mischaracterize Applicant's arguments in the response filed on March 15, 2008.

The Office Action dated October 18, 2007 on page 3 states "[T]he Isaacs prior art discloses the capability to resend a message (if no acknowledgement is received). (see Isaacs col. 12, lines 58-62: resend message, timeout; col. 2, line 63 – col. 3, lines 16: status indicator (i.e. message log update), displayed at recipient, resend message status (status indicator))." Applicant respectfully disagrees with the statement. The status indicators in Isaacs are visual representations of messages on the display screen 126 shown in FIG. 2 of Isaacs. See Isaacs col. 2, lines 3-12 and col. 6, lines 37-41. Thus, contrary to the statement in the Office Action "status indicators" cannot be equated to "audit identifiers" transmitted to the originator wherein the "audit identifiers" are used for tracking the resending and forwarding of a message. Further, in Isaacs the message server (630) merely forwards the message acknowledgement from the message recipient (620) to message originator (600) and the message originator (600) waits for an acknowledgment for a predetermined period of time before retransmitting the message to

the recipient. See Isaacs, col. 14, lines 30-35. Thus, Isaacs fails to describe said audit identifier for tracking resending or forwarding of said message, wherein said audit identifier uniquely corresponds to the combination of a message identifier, an order of recipient identifiers, and a message originator identifier " as recited by independent claim 20 and 28, as amended.

Further, the Office Action dated October 18, 2007 appears to equate Applicant's "message log update" with "status indicators." See Office Action dated October 18, 2007 item 3.2 and 3.3, pages 2 and 3. As described above, the status indicators (first visual representation and second visual representation) in Isaacs indicate on the display screen whether a particular message is successfully received by a recipient device. See Isaacs, col. 2, line 63 to col. 3, line 8. However, Isaacs fails to describe a message log update transmitted by a first recipient electronic device, said message log update indicating that said message has been retransmitted to at least second recipient electronic device as recited by independent claim 24.

In view of the foregoing, Applicant respectfully submits that Isaacs does not disclose all the claim elements as recited in independent claims 1, 20, 24, and 28. Applicant therefore submits that independent claims 1, 20, 24, and 28 are not anticipated by Isaacs, and therefore the rejection of independent claims 1, 20, 24, and 28 under 35 USC 102(e) should be withdrawn. Applicant requests that claims 1, 20, 24, and 28 may now be passed to allowance.

Dependent claims 2-16, 22, 25-27 depend from, and include all the limitations of independent claims 1, 20, and 24. Therefore, Applicant respectfully requests reconsideration of dependent claims 2-16, 21-22, 25-27 and requests the withdrawal of the rejection.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Such action is earnestly solicited by the Applicant. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant's attorney or agent at the telephone number indicated below.

Please charge any fees that may be due to Deposit Account 502117, Motorola,
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Respectfully submitted,

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